

25104550D

SENATE BILL NO. 761

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee for Courts of Justice
on January 13, 2025)

(Patron Prior to Substitute—Senator Sturtevant)

A BILL to amend and reenact §§ 16.1-79 and 16.1-81 of the Code of Virginia, relating to civil actions brought by warrant or motion for judgment.

Be it enacted by the General Assembly of Virginia:

1. That §§ 16.1-79 and 16.1-81 of the Code of Virginia are amended and reenacted as follows:

§ 16.1-79. Actions brought on warrant.

A civil action in a general district court may be brought by warrant directed to the sheriff or to any other person authorized to serve process in such county or city, requiring the person against whom the claim is asserted to appear before the court on a certain day, not exceeding ~~sixty~~ 90 days from the date of service thereof, to answer the complaint of the plaintiff set out in the warrant. After the warrant has been issued and delivered for service it shall not be altered, nor any blank filled, except by order of the court.

§ 16.1-81. Actions brought by motion for judgment.

A civil action in a general district court may be brought by motion for judgment. Such motion shall be in writing, signed by the plaintiff or his attorney, and shall contain a caption setting forth the name of the court and the title of the action, which shall include the names of all parties and the address of each defendant. It shall state the facts on which the plaintiff relies, and shall be sufficient if it clearly informs the defendant or defendants of the true nature of the claim asserted. The motion shall notify the defendant or defendants of the day on which such motion shall be made, which day shall not be more than ~~sixty~~ 90 days from the date of service of the motion.

SENATE SUBSTITUTE

SB761S1